

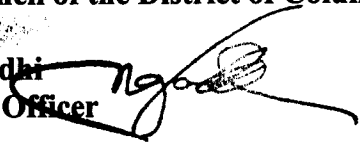
**Government of the District of Columbia
Office of the Chief Financial Officer**



Natwar M. Gandhi
Chief Financial Officer

MEMORANDUM

TO: The Honorable Vincent C. Gray
Chairman, Council of the District of Columbia

FROM: Natwar M. Gandhi
Chief Financial Officer 

DATE: July 1, 2010

SUBJECT: Fiscal Impact Statement – “District of Columbia Unjust Imprisonment Emergency Amendment Act of 2010”

REFERENCE: Draft Legislation – No Bill Number Available

Conclusion

Funds are sufficient in the FY 2010 budget, and the FY 2011 through FY 2014 budget and financial plan to implement the provisions of the proposed legislation.

Background

The proposed legislation would amend the District of Columbia Unjust Imprisonment Act of 1980¹ by limiting the amount of damages a judge may award for unjust imprisonment to \$50,000 for each 12-month period of incarceration and by requiring that, if applicable, any award given by the District be reduced by the amount of settlement or judgment recovered from the United States for the same conviction and unjust imprisonment. Additionally, the proposed legislation would disallow the award of punitive damages.

Financial Plan Impact

Funds are sufficient in the FY 2010 budget, and the FY 2011 through FY 2014 budget and financial plan to implement the provisions of the proposed legislation. By limiting the amount of money the District would be required to award in unjust imprisonment cases, the legislation is likely to result in savings² when such rare cases arise.

¹ Effective March 5, 1981 (D.C. Law 3-143; D.C. Official Code § 2-423).

² For example, on July 12, 1985, in *Brown v. District of Columbia*, C.A. No. 81-11595, a case brought under the same statute, the Superior Court awarded the plaintiff \$325,000 where the plaintiff had served three years and ninety days in 1985 for a murder he did not commit.